

CASE NO. 17-70632

IN THE UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD,

Petitioner,

v.

TARLTON AND SON, INC.,

Respondent.

ROBERT C. MUNOZ,

Proposed Intervenor.

**ON APPEAL FROM NATIONAL LABOR RELATIONS BOARD
CASE NO. 32-CA-119054 AND 32-ca-126896, 363 NLRB NO. 175**

**MOTION TO INTERVENE ON BEHALF OF ROBERT C. MUNOZ IN
CASE NO. 17-70632**

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Attorneys for *Proposed Intervenor*,
ROBERT C. MUNOZ

Robert C. Munoz, the Proposed Intervenor in this matter, hereby moves this Court for an Order permitting him to intervene in this proceeding, Case No. 17-70632.

Intervention is sought under Federal Rule of Appellate Procedure 15.

Normally, charging parties such as Robert C. Munoz are permitted intervention in these proceedings seeking enforcement of an Order of the National Labor Relations Board. See *International Union, UAW, Local 283 v. Scofield* (1965) 382 U.S. 205, 208. Indeed, *Scofield* holds that charging parties such as Robert C. Munoz are normally entitled to intervention in the Circuit Court.

Dated: March 17, 2017

Respectfully Submitted,

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

/s/ David A. Rosenfeld

DAVID A. ROSENFELD

Attorneys for *Proposed Intervenor*,
ROBERT C. MUNOZ

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CERTIFICATE OF SERVICE

I am a citizen of the United States and an employee in the County of Alameda, State of California. I am over the age of eighteen years and not a party to the withing action; my business address is 1001 Marina Village Parkway, Suite 200, Alameda, California 94501.

I certify that on March 17, 2017, the **MOTION TO INTERVENE IN CASE 17-70632 ON BEHALF OF PROPOSED INTERVENOR, ROBERT C. MUNOZ** was served on all parties or their counsel of record through CM/ECF system as addressed below.

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Attorneys for Respondent National Labor Relations Board

I certify that the above is true and correct. Executed at Alameda, California, on March 17, 2017.

/s/ Karen Kempler
Karen Kempler